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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

In re  
PG&E CORPORATION  
v.  
AECOM TECHNICAL SERVICES, INC.

Case No. 4:20-cv-05381-HSG (Lead Case)  
  
(Reference withdrawn from Bankruptcy Case  
No. 19-30088, Adv. Proc. No. 20-03019 and  
Adv. Proc. No. 19-03008)

(Consolidated with Case No. 3:20-cv-08463  
EMC)

**STIPULATED REQUEST TO MODIFY  
BRIEFING SCHEDULE REGARDING  
PG&E'S MOTION TO DISMISS (DKT.  
NO. 24); AND ORDER**

Pursuant to Civil L.R. 6-2, Plaintiff JH Kelly, LLC (“Kelly”) and Defendant Pacific Gas and Electric Company (“PG&E”) (together, “the Parties”) jointly seek an order of the Court to modify the briefing schedule for Kelly’s response to PG&E’s Motion to Dismiss [Dkt. No. 24].

The Parties, through their respective counsel, stipulate as follows:

WHEREAS, on February 1, 2021, PG&E filed its Notice of Motion and Motion to Dismiss Kelly’s First Amended Complaint (“Motion”) on the grounds that Kelly’s First Claim for Relief against PG&E and Defendant AECOM Technical Services, Inc. (“AECOM”) for Foreclosure of Mechanics Lien fails to state a claim for relief [Dkt. No. 24];

WHEREAS, on the same day, February 1, 2021, AECOM filed a counterclaim against PG&E and Kelly for Determination of Priority and Extent of AECOM’s valid Mechanics’ Lien (the “AECOM Lien Claim”) [Dkt. No. 21];

WHEREAS, PG&E anticipates filing a motion to dismiss the AECOM Lien Claim on the same or similar grounds as the Motion filed against Kelly;<sup>1</sup>

WHEREAS, the Parties respectfully request an order extending the time frame for Kelly to file its response to the Motion, as set forth herein;

WHEREAS, the reason for the requested enlargement of time is to allow the briefing schedule for Kelly’s response to the Motion to mirror the briefing schedule for PG&E’s anticipated motion to dismiss the AECOM Lien Claim to streamline the presentation of submissions to the Court on this issue.

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<sup>1</sup> PG&E is meeting and conferring with AECOM concerning multiple claims (causes of action) asserted by AECOM. PG&E may include arguments requesting the dismissal of additional AECOM causes of action in PG&E’s 12(b)(6) submission.

1 WHEREAS, there have been no previous time modifications in this case related to the  
2 Motion;


3 WHEREAS, the requested time modification will not impact the schedule for the case or  
4 the current hearing date, April 29, 2021 [Dkt. No. 28], for the Motion.

5 NOW THEREFORE, in consideration of the foregoing, the Parties, by and through their  
6 respective counsel, hereby STIPULATE and AGREE as follows:

- 7 1. On or before March 8, 2021, Kelly will file its response to the Motion;
- 8 2. On or before March 15, 2021, PG&E will file its reply in support of the Motion;
- 9 3. By entering into this Stipulation, the Parties do not waive and expressly preserve  
10 any and all rights and defenses.

11 **PURSUANT TO STIPULATION, IT IS SO ORDERED**

12 Dated: February 10, 2021

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14 HAYWOOD S. GILLIAM, JR.  
15 United States District Judge  
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